

**INVESTMENT ADVISER REGISTRATION AND NOTICE FILING
REQUIREMENTS**

**STATE INVESTMENT ADVISER
REGISTRATION REQUIREMENTS**

1. Uniform Form ADV Part I (manually signed or electronically filed through IARD if IARD filer). If you chose to file electronically, assistance can be provided at (240) 386-4848, which is a NASD Gateway number. Additional information can be found at www.nasaa.org and www.iard.com. For a manual copy of Part I go to www.kfi.ky.gov. This version cannot be filled out on the screen.
2. Uniform Form ADV Part II filed manually. This form may be located at www.kfi.kv.gov.
3. \$100.00 filing fee; check made payable to Kentucky State Treasurer if not filing via IARD. (Fee is waived if firm is registered as broker-dealer in Kentucky.)
4. Copy of client advisory contract if based in Kentucky. Contract must contain the following:
 - (a) The nature of the advisory services to be provided;
 - (b) The time period that the contract remains in effect;
 - (c) The advisory fee and the formula for computing the fee;
 - (d) The amount of prepaid fee to be returned in the event of contract termination or nonperformance;
 - (e) Whether the contract grants discretionary power to the advisor and, if so, the terms of the discretionary power;
 - (f) Whether the contract grants custody of customer funds to the advisor and, if so, the terms of the custody; and
 - (g) That the adviser shall not assign the contract without the prior written consent of the customer;
5. If an investment adviser based in Kentucky has custody of client funds or securities, then the adviser shall maintain a minimum net worth of \$35,000 or be bonded.
6. If an investment adviser based in Kentucky has discretionary authority over client funds or securities, but does not have custody of client funds or securities, then the adviser shall maintain a minimum net worth of \$10,000 or be bonded. A sample surety bond can be found at www.kfi.ky.gov.
7. A current financial statement, if the investment adviser has discretion and/or custody of client funds.

Investment adviser representative requirements:

1. Uniform Form U-4 (manually signed or electronically filed through IARD if firm is IARD filer).
Sole proprietors are not required to file a U-4. Go to the abovementioned websites for manual U-4.
2. Proof of passing Series 65 exam or Series 7 and 66 exams. Study material may be obtained by calling the NASD at (301) 590-6578. Enrollment material to take an exam may be obtained by calling the NASD at (301) 590-6500. Qualifying professional designations that may be used in place of the exams are: CFP, ChFC, PFS, *CFA*, and CIC. Please contact OFI for additional waivers or review 808 KAR 10:260. See www.kfi.ky.gov.
3. **Dual approval is required if the representative is to be a RA rep for two firms. Refer to 808 KAR 10:030, Section 5. A sample letter will be provided if requested.**
4. \$50 filing fee; check should be made payable to Kentucky State Treasurer. KRS 292.330(11)(a)
(Fee is waived if individual is registered as broker-dealer agent in Kentucky with the same firm)
Additionally, sole proprietors are not required to pay the \$50 fee.

FEDERALLY-REGISTERED INVESTMENT ADVISER NOTICE FILING REQUIREMENTS

1. Uniform Form ADV (electronically filed through IARD).
2. \$100.00 filing fee. (Fee is waived if firm is registered as broker-dealer in Kentucky.)

FEDERALLY-REGISTERED INVESTMENT ADVISER REPRESENTATIVE (WITH A PLACE OF BUSINESS IN KENTUCKY AND MORE THAN 5 KENTUCKY CLIENTS)

1. Uniform Form U-4 (electronically filed through IARD).
2. Passage of Series 65 exam or Series 7 and 66 exams or qualifying professional designation.
Study material can be obtained by calling the NASD at (301) 590-6578. Enrollment material to take an exam may be obtained by calling the NASD at (301) 590-6500.
3. \$50.00 filing fee. (Fee is waived if individual is registered as broker-dealer agent in Kentucky with the same firm.)

Form ADV may also be obtained through the Securities and Exchange Commission,
www.sec.gov.

INVESTMENT ADVISER TERMINATION

If an investment adviser wishes to terminate its registration with Kentucky, a **Form ADV-W** must be submitted to OFI or through IARD. A Form U-5 must be submitted when terminating an investment adviser representative.

For further assistance, please contact Rebe Conley at (502) 573-3390, ext. 278.

